

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Steven C. Mannion
	:	
v.	:	Mag. No. 13-8106
	:	
BIODIAGNOSTIC LABORATORY	:	
SERVICES, LLC,	:	<u>ORDER FOR CONTINUANCE</u>
DAVID NICOLL,	:	
SCOTT NICOLL,	:	
CRAIG NORDMAN, and	:	
FRANK SANTANGELO	:	

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Jacob T. Elberg and Andrew D. Leven, Assistant U.S. Attorneys, appearing), and defendant Biodiagnostic Laboratory Services, LLC (Steven Backfisch, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter for a period of 60 days pursuant to Title 18, United States Code, Section 3161(h)(7)(A) to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, so that the parties could attempt to resolve the matter and thereby avoid a possible trial, and the defendant being aware that it has the right to have the matter submitted to a grand jury within thirty days of the date of his arrest pursuant to Title 18, United States Code, Section 3161(b), and the defendant having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Biodiagnostic Laboratory Services, LLC's President and other individuals affiliated with Biodiagnostic Laboratory

Services, LLC are scheduled to enter guilty pleas on June 10, 2013, and plea negotiations with regard to Biodiagnostic Laboratory Services, LLC are currently in progress. Both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary; and

(2) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.


IT IS, therefore, on this 6<sup>th</sup> day of June, 2013,

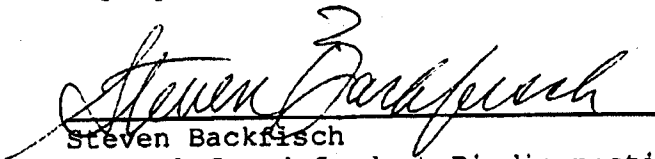
ORDERED that this action be, and hereby is, continued from June 9, 2013 until August 8, 2013; and it is further

ORDERED that the period from June 9, 2013 through August 8, 2013 shall be excludable in computing time under the Speedy Trial Act of 1974.

  
HON. STEVEN C. MANNION  
United States Magistrate Judge

Form and entry  
consented to:

  
\_\_\_\_\_  
Jacob T. Elberg  
Assistant U.S. Attorney  
Deputy Chief, Health Care & Government Fraud Unit

  
\_\_\_\_\_  
Steven Backfisch  
Counsel for defendant Biodiagnostic Laboratory Services, LLC